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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

O I P E MAR 11 2003
PATENT & TRADEMARKS
Applicant: Dougan H. Clarke

Serial No.: 10/008,536

Filing Date: November 13, 2001

For: UMBRELLA FRAME AND OPERATING SYSTEM

Group Art Unit 3637
Winnie S. Yip, Examiner

2800 S.W. 3rd Avenue
Miami, Florida 33129
March 3, 2003

Honorable Commissioner of Patents and Trademarks

Washington, D.C. 20231

Dear Sir:

CERTIFICATE OF MAILING

I HEREBY CERTIFY that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, this 3rd day of March, 2003.

Respectfully submitted,

MALLOY & MALLOY, P.A.
2800 S.W. Third Avenue
Historic Coral Way
Miami, Florida 33129
(305) 858-8000

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MAR 19 2003

GROUP 3600

By:

Jennie S. Malloy
Jennie S. Malloy
Reg. No. 37,670

Date: 3-3-2003



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Dear Sir:

RESPONSE TO RESTRICTION/ELECTION REQUIREMENT

In the above-referenced application, an Office Action was mailed on December 3, 2002 wherein the U.S. Patent and Trademark Office has issued a Requirement for a Restriction/Election.

In response, the Applicant hereby provisionally elects the species of the invention illustrated in Figures 1-9 for examination, which were identified by the Examiner as Group I: first embodiment. It is believed that the following claims are readable on this species: 1-4, 5-8, 9 and 10-17. It is also thought that claim 1 can be considered a generic claim to all of these claims.

The Applicant does, however, respectfully traverse the requirement for restriction/election and would ask the Examiner to reconsider this issue once the official novelty search has been conducted for the provisionally elected group of claims.

Also, as the Examiner is likely to proceed soon with the official novelty search, the Applicant takes this opportunity to

submit an Information Disclosure Statement for this application, many of the reference for which were developed in the parent case(s) to which priority is claimed. This IDS is either enclosed herewith or is being submitted simultaneously herewith under separate cover.

Finally, this response is being submitted along with an appropriate Request for an Extension of Time and filing fee therefore.

Respectfully submitted,

MALLOY & MALLOY, P.A.
Attorneys for Applicant
2800 S.W. 3rd Avenue
Miami, Florida 33129
(305) 858-8000

By:


Jennie S. Malloy
Reg. No. 37,670

Dated: 3-3-2003